

TRANSMITTAL LETTER TO UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/445054

INTERNATIONAL APPLICATION NO.

PCT/US98/08646

INTERNATIONAL FILING DATE

04 June 1998

PRIORITY DATE CLAIMED

05 June 1997

TITLE OF INVENTION

A METHOD OF TREATING CANCER

APPLICANT(S) FOR DO/EO/US

Neal Rosen, Laura Sepp-Lorenzino, Mark M. Moasser, Allen I. Oliff, Jackson B. Gibbs, Nancy Kohl, Samuel L. Graham and George C. Prendergast

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (UNSIGNED)
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

## EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT

December 1, 1999

EXPRESS MAIL NO.

EM569342140US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING DEPOSITED WITH THE UNITED STATES POSTAL  
SERVICE AS EXPRESS MAIL "POST OFFICE TO  
ADDRESSEE" BEFORE 5 P.M. ON THE ABOVE DATE IN  
AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER  
FOR PATENTS, WASHINGTON, D.C. 20231.

MAILED BY

DATE

DEC. 1, 1999

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
09/445054		US98/08646		19962YF	

17. <input checked="" type="checkbox"/> The following fees are submitted:  Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO.....\$840.00 International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$670.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$760.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$970.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$ 96.00  <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT      =</div>	CALCULATIONS	PTO USE ONLY

Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0.00	
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Claims	Number Filed	Number Extra	Rate		
Total Claims	32                      -20=	12	X \$18.00	\$216.00	
Independent Claims	4                         - 3=	1	X \$78.00	\$78.00	
Multiple dependent claim(s) (if applicable)			+ \$260.00	\$0.00	
<b>TOTAL OF ABOVE CALCULATIONS</b> =				\$390.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).					
<b>SUBTOTAL</b> =				\$390.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0.00	
<b>TOTAL NATIONAL FEE</b> =				\$390.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +					
<b>TOTAL FEES ENCLOSED</b> =				\$390.00	
				Amount to be refunded	
				charged	

a. ☐ A check in the amount of           \$0.00           to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 13-2755 in the amount of           \$390.00           to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. 13-2755. A duplicate copy of this sheet is enclosed.

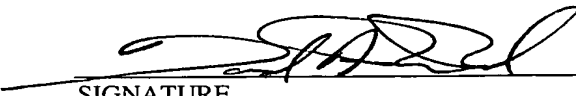
**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

Patent Department, RY60-30  
 MERCK & CO., INC.  
 P.O. Box 2000  
 126 East Lincoln Avenue  
 Rahway, New Jersey 07065

DATE: November 30, 1999

PHONE #: (732) 594-3903

  
 SIGNATURE  
  
 DAVID A. MUTHARD  
 NAME  
  
 35,297  
 REGISTRATION NUMBER